



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/419,749	10/16/99	DEFFLER	T 22074661-255

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EXAMINER

COLBERT, E

ART UNIT

PAPER NUMBER

2771

DATE MAILED: 05/31/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

Office Action Summary

Application No.
09/419,749

Applicant(s)
Deffler et al

Examiner
Ella Colbert

Group Art Unit
2771



☒ Responsive to communication(s) filed on Oct 16, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire Three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-5 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-5 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen et al (US 5,737,592), hereafter Nguyen.

With respect to claim 1, “analyzing a macro language expression” (**column 4, lines 25-52**), “determining based on predetermined syntax of a macro language expression” (**column 8, lines 1-33, column 10, lines 7-27, and column 11, lines 1-40**) one or more key words in the analyzed macro language expression based on a predetermined (**column 6, lines 7-14**), “the key

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word representing a macro command not previously defined in the macro language” (**column 6, lines 15-56**), “retrieving a code associated with the keyword from a registry of keywords” (**column 5, lines 4-23 and column 10, lines 7-27**), executing the code associated with the keyword (**column 6, lines 58-67**). Nguyen did not teach, a registry of keywords, but it would have been obvious at the time the invention was made to a person having ordinary skill in the art of keywords to have a registry of keywords because it is well known in the art that the C language itself has a registry of 33 keywords and keywords are used in the source code and compiling of the macro language.

With respect to claim 2, extending the registry of keywords by inserting a new keyword and a code associated with the new keyword (**column 8, lines 1-17**).

With respect to claim 3, a parser having a predefined syntax to determine one or more extended keywords embedded within a macro language expression, the extended keyword representing a macro command undefined in a predetermined set of macro commands of a macro language (**column 15, lines 47-59**), a keyword repository having one or more keywords and associated codes (**column 12, lines 11-65**). Nguyen did not teach, a macro handler coupled to the parser for receiving an extended keyword from the parser, the macro handler responding to the received extended keyword, retrieving a code associated with the received extended keyword from the keyword repository and executing the code to run the macro command represented by the extended keyword, but it would have been obvious at the time the invention was made to a person having ordinary skill in the art of extended keywords to have a parser and code associated

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with the extended keywords because the parser receives the keyword first, then parses the expression and “the macro handler in response saves the previous contents of the processor registers (keywords) during execution of the main program” (see Brooks et al (5,295,059) column 8, lines 67-68 and column 9, lines 1-2) and the user selects the functions and submits the macro command to run the code associated with the keywords with a prefix symbol.

With respect to claim 4, the keyword repository is augmented to include new keywords and associated codes (**column 8, lines 18-67 and column 9, lines 1-39**).

With respect to independent claim 5, this claim is rejected on grounds corresponding to the reason given above for rejected independent claim 1. Applicant’s claim 5 has a method for parsing a macro language expression with steps corresponding to the method in rejected claim 1.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Canady et al (5,742,828) taught application programs responding to commands in a user composed file (sometimes referred to as a macro) column 1, lines 63-66.

Haley et al (5,694,539) taught parsing and expression structures.

Andrews et al (6031,993) taught using macros and source language code.

Bentley et al (5,815,415) taught macro language, parsing, and keywords.

Brooks et al (5,295,059) taught a macro instruction and macro handler.

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Hyde, Peter, "White Paper: Creating applications with the WebHub VCL," pages 9-11, taught extensible macro language.

INQUIRIES

4. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Ms. Ella Colbert whose telephone number is (703) 308-7064. The Examiner can normally be reached Monday through Thursday from 6:30 a.m. to 3:00 p.m. EST. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Kim Vu, can be reached on (703)305-4393.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703)308-9051, (for formal communications intended for entry).

Or:

(703)308-5403 (for informal or draft communications, please label

"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, Virginia., Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (703)308-9600.

Colbert

May 21, 2000


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700